HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17714 of 2007

Dated:21.08.2007

Between:

Maclin Irvin Roberts.

…Petitioner.

and

The Mandal Revenue Officer and others.

…Respondents.

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17714 of 2007

ORDER:

The petitioner was assigned an extent of Acs.4.31 in survey No.74/4 situated at Gudilova Village of Anandapuram Mandal in Visakhapatnam District, vide D.R.No.1/92 H.A., dated 15.05.1992. In 2001, he approached the first respondent for issuance of pattadar pass book (PPB)/ title deed under the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971. By an endorsement, dated 24.05.2001, the petitioner was asked to resubmit the application with additional documents. The petitioner allegedly furnished all the documents, as advised. But the first respondent did not issue PPB. Therefore, she filed instant Writ Petition seeking appropriate directions.

At the stage of admission itself, learned Assistant Government Pleader for Revenue (General-A), after getting instructions, submits that though the land was assigned to the petitioner, the assignment was cancelled in 2001 and that after resuming the land, it is proposed to be assigned as house site pattas. Therefore, PPB cannot be issued to the petitioner. This Court accepts the submission of the learned Assistant Government Pleader for reasons more than one. There cannot be any dispute that unless and until a person is in possession of the land, he/she cannot get a PPB. When the land was statedly resumed in 2002, the petitioner is not entitled for PPB. If the petitioner is aggrieved by the cancellation of assignment, she has to approach the first respondent, obtain copy of the proceedings canceling the

assignment and prefer an appeal before the Revenue Divisional Officer.

With the above observation, the Writ Petition is dismissed. No costs.

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(V.V.S.RAO, J)

21.08.2007

GJ